

REMARKS

Claims 1-11 are now pending in the application. Claims 1-9 are amended. Claim 11 is new. Support for the amendments and new claims can be found through the specification and drawings as originally filed. The Examiner is respectfully requested to withdraw the rejections of the claims in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 2002-290964 ("Yoshifumi") in view of U.S. Pub. No. 2002/0171637 ("Kadowaki") and U.S. Pat. No. 5,523,791 ("Berman"). Claims 1-10 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshifumi in view of "Giving Up the Ghosts" by Arthur Levine ("Levine") and "Haunted Mansion" by Karen Eliot ("Eliot"). These rejections are respectfully traversed.

At the outset, Applicant respectfully submits that the Examiner may not take official notice of the alleged teachings of Levine and Eliot based on his personal experiences. Specifically, official notice unsupported by documentary evidence should only be taken where the facts asserted to be well known, or to be common knowledge in the art, are capable of instant and unquestionable demonstration as being well known (see M.P.E.P. §2144.03(A)). Here, because the Examiner is merely relying on personal experience, it cannot be determined without documentary evidence whether the facts are well known, common knowledge, or capable of instant and unquestionable demonstration as being well known. The Examiner, therefore, has failed to meet this

burden regarding the theme park mirror illusions. Accordingly, Applicant respectfully submits that taking official notice in this instance is improper.

Claim 1 is amended to include features directed to detecting a positional relationship between a target person and a mirror based on captured images. Further, Claim 1 includes features directed to displaying superimposed information as part of a peripheral landscape, based on stored presentation information and the positional relationship between the target person and the mirror. None of Yoshifumi, Kadowaki, Berman, Levine, and Eliot, alone or in combination, show, teach, or otherwise suggest "detecting a positional relationship between a target person and a mirror" or "superimposing information as part of a peripheral landscape based on the detected positional relationship." For at least these reasons, Applicant respectfully submits that Claim 1 patentably defines over the cited art.

With respect to independent Claims 2, 8, 9, and 10, each of these claims are directed to a system, program, or method that superimposes an image or information on a reflected image displayed in a reflected-image displaying medium to display a superimposed image or information as part of a peripheral landscape, based on images or information stored in an image or information storing means.

None of Yoshifumi, Kadowaki, Berman, Levine, and Eliot show, teach, or otherwise suggest superimposing image or information as part of a peripheral landscape. In contrast, the Examiner admits that Yoshifumi does not explicitly disclose "that the advertising/content is integrated with the background carefully such as to look like part of the mirror image." (see, Office Action, p. 2).

Moreover, Kadowaki is directed to a three-dimensional (3D) holographic imaging system that projects for a viewing person a holographic image of the person in a different environment. Applicant submits that projecting a holographic image in a different environment is different than superimposing advertising information as part of a peripheral landscape. Specifically, the peripheral landscape is part of the same environment – not a different environment.

Further, Kadowaki is directed to 3D holographic technology (see Kadowaki Paragraphs [0005]-[0008]) and one having skill in the art of two-dimensional (2D) projection technology for digital mirrors would not look to 3D holographic technology. Therefore, there is also no motivation to combine Kadowaki with the other references because Kadowaki is directed to an entirely different imaging technology.

Berman merely teaches overlaying multiple images. Berman is silent regarding superimposing advertising information as part of a peripheral landscape. The deficiencies of merely overlaying images are discussed in the background section of the present application (see, for example, Paragraphs [0004]-[0011]). Specifically, merely overlaying images does not capture the target person's attention (see Paragraph [0010]) because advertisement information is not superimposed as part of the peripheral landscape.

Levine merely refers to a mirror illusion at a theme park where a person sees ghosts along with a reflection of themselves. Similarly, Eliot appears to be a personal blog written by an individual that visited the same theme park. Both of these references are silent regarding superimposing advertising information as part of a peripheral landscape.

Lastly, it is a longstanding rule that to establish a prima facie case of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 USPQ 143 (CCPA 1974). See MPEP § 2143.03. Applicant respectfully submits that none of the cited references show, teach, or otherwise suggest superimposing information as part of a peripheral landscape. Applicant, therefore, submits that Claims 2 and 8-10 patentably define over the cited art. Dependent Claims 2-7 ultimately depend from independent Claim 2 and are therefore allowable for at least similar reasons.

Reconsideration and withdrawal of this rejection, therefore, are respectfully requested.

NEW CLAIMS

Claim 11 is new. Support for Claim 11 may be found throughout the specification and drawings as originally filed (see, for example, Paragraphs [0029]-[0035]). Applicant submits that Claim 11 is allowable for at least similar reasons as amended Claim 1. More specifically, Claim 11 has similar limitations including “detecting a positional relationship” and “generating a reflected image based on the positional relationship...wherein the information intended for [a] target person is integrated into [a] peripheral landscape.” Applicant, therefore, respectfully requests that the Examiner allow Claim 11.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: May 21, 2010

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